

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 9-15, 17-19, 21, and 22 have been amended to overcome the applied indefiniteness rejections, and claims 16 and 20 have been cancelled. Support for the amendments is provided, for example, in Figs. 4 and 5 and paragraphs [0043] and [0046] of Applicant's published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 9, 10, 12, 13, and 15-22 were rejected, under 35 USC §103(a), as being unpatentable over Vivaldi ("Fast Handover Algorithm for Hierarchical Mobile IPv6 Macro-Mobility Management" article) in view of Takahashi et al. (US 2004/0008664). Claims 11 and 14 were rejected, under 35 USC §103(a), as being unpatentable over Vivaldi in view of Takahashi and Chubbs III (US 6,400,304). To the extent that these rejections may be deemed applicable to the amended claims presented herein, the Applicant respectfully traverses as follows.

Claim 9 now defines a communication system having a mobility anchor point that issues two care-of addresses, a first care-of address and a second care-of address. Each of these addresses has a different function. The first care-of address can be used for communication in a first mobility anchor point and cannot be used in an adjacent second mobility anchor point. The second care-of address can be used in predetermined cells and cannot be used in cells other than the predetermined cells. The predetermined cells include both a first cell, which is one of the cells of the first mobility anchor point, and a second cell, which is one of the cells of the second

mobility anchor point; the second cell of the second mobility anchor point is adjacent to the first cell of the first mobility anchor point across the boundary with the first mobility anchor point. The predetermined cells do not include at least one of (a) a cell of the first mobility anchor point and (b) a cell of the second mobility anchor point. In other words, the second care-of address is a care-of address for communication in cells positioned near the boundary of the first mobility anchor point and the second mobility anchor point.

The claimed subject matter provides the advantages of: (1) managing a communication terminal apparatus at the boundary of two mobility anchor points and (2) reducing the communication delay of forwarding packets to the communication terminal while it transitions from one mobility anchor point to another (see ¶ [0017] of Applicant's published specification). This is because at least one of the first care-of address and the second care-of address can be used for communication regardless of whether the terminal apparatus is in a cell of the one mobility anchor point or is transitioning to a cell of the other mobility anchor point.

A similar effect can be obtained when a system uses global addresses, which can be used in cells of all mobility anchor points. However, it is very cumbersome to manage the global addresses so that each of the global addresses will not be the same. With the claimed subject matter, instead of applying global address, a system uses two addresses covering different areas, each of which is limited.

Vivaldi discloses issuing two care-of addresses, an RCOA and an LCOA. Vivaldi's LCOA may correspond to the claimed first care-of address. However, Vivaldi's RCOA differs from the claimed second care-of address because the area where the RCOA can be used is different from that where the claimed second care-of address may be used.

The Office Action acknowledges that Vivaldi does not disclose the claimed subject matter of a care-of address for use in a subset of all cells and within adjacent cells of separate mobility anchor points (see Office Action, paragraph bridging pages 4 and 5). Please note that, although the scope is slightly different, this care-of address corresponds to the second care-of address in the amended claims. To overcome Vivaldi's deficiency, the Office Action proposes that Takashi discloses the subject matter missing from Vivaldi's disclosure in paragraphs [0115]-[0126] and [0122]-[0128] (see Office Action page 5, second and third paragraphs).

However, Takahashi discloses, in the material cited in the Office Action, that when a mobile node transfers communication from a first access router to a second access router, the mobile node determines whether the mobility anchor point (MAP) information received from each access router is the same (see Takahashi ¶ [0125], line 1, through ¶ [0126] line 4). If not the mobile node calculates a revised maximum transmission unit (MTU) size to be used for communication through the second access router (see ¶ [0126], lines 4-7, and ¶ [0127]).

Regarding the Office Action's proposal that Takahashi discloses "that the predetermined number of cells is less than the boundary" (see Office Action page 5). As described in the Office Action, Takahashi's address may be used in only some limited number of cells; however, Takahashi is silent about the address being used/not being used in predetermined cells, as defined in claim 9. Therefore, Takahashi fails to disclose the claimed second care-of address.

Applicant notes that the Office Action cites large segments of Takahashi's highly-technical specification for disclosing the Applicant's claimed second care-of address, without specifically identifying anything within Takahashi's disclosure that could correspond to Applicant's claimed second care-of address, which Applicant previously identified as

distinguishing the claimed invention from the applied art. Should the Office find a basis to reject Applicant's claims in a subsequent office action, the Applicant requests that the Office specifically identify: (1) which features of the applied reference correspond to the distinguishing features of claim 9 discussed herein and (2) the precise support within the applied reference for the Office's assertions.

In summary, both Vivaldi and Takahashi fail to disclose the Applicant's claimed subject matter of the second care-of address that can be used in the predetermined cells and cannot be used in cells other than the predetermined cells.

Accordingly, Applicant submits that the teachings of Vivaldi and Takahashi, even if combined as proposed in the Office Action, still would lack the above-noted features of claim 9 and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 9. Independent claim 12 now similarly recites the above-mentioned subject matter distinguishing apparatus claim 9 from the applied references, but with respect to a method. Therefore, allowance of claims 9 and 12 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: March 8, 2010
JEL/DWW/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 009289-05155
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 659-6966
Facsimile: (202) 659-1559